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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,125	11/29/2000	Masayuki Arai	P20247	9044
7055	7590	02/08/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			HENN, TIMOTHY J	
			ART UNIT	PAPER NUMBER
			2612	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/725,125

Applicant(s)

ARAI, MASAYUKI

Examiner

Timothy J Henn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 2-7 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arai et al. (US 4,651,216) in view of Kawahara et al. (US 5,325,149).

#### **[claim 7]**

Regarding claim 7, Arai discloses a diaphragm control apparatus for a lens of a CCTV camera having a diaphragm device that at least one of opens and closes a diaphragm (Figure 1), comprising: a remote diaphragm control device (Figure 1, "remote control circuit") that selects one of an automatic diaphragm control mode in which the diaphragm is controlled in accordance with an image signal output from the CCTV camera (Figure 1, "automatic control circuit"; Figure 3; c. 2, l. 64 - c. 3, l. 2), and a remote diaphragm control mode in which the diaphragm is set to an optional position in accordance with a remote diaphragm control signal issued from the remote diaphragm control device (Figure 2; c. 2, ll. 41-64); a diaphragm control signal setting device that is activated when the remote diaphragm control mode is selected by the by said remote diaphragm control device (Figure 1, Item 1), said diaphragm control signal setting

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device being configured to generate a diaphragm control signal in accordance with the remote diaphragm control signal issued from the remote diaphragm control device (c. 2, ll. 9-64), said diaphragm control signal setting device further being configured to output the diaphragm control signal to the diaphragm driving device to move the diaphragm to a position corresponding to the diaphragm control signal (Figure 1, "driver circuit"); and a power source that supplies electrical power to the diaphragm control signal setting device (the examiner notes that a power source is inherent in electronic systems).

However, Arai lacks a memory that stores the diaphragm control signal when the electrical power to the diaphragm control signal setting device is interrupted, the diaphragm control signal being output from the memory to set the diaphragm to the optional position when the electrical power is re-supplied.

Kawahara discloses a camera system in which an aperture value or "diaphragm control signal" (The examiner notes that although Kawahara stores an aperture value, since the aperture value of Kawahara causes the driving device to move the diaphragm "to a position corresponding to the diaphragm control signal", it can be interpreted as a diaphragm control signal as claimed) is stored in a memory so that the diaphragm can be forcedly set to the stored value if the power supply is interrupted, allowing diaphragm control to be conducted without error (c. 6, l. 60 - c. 7, l. 32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to store the diaphragm control signal of Arai in order to forcedly set the diaphragm to the state it was in prior to a power interruption so as to allow diaphragm control to be conducted without error.

**[claim 5]**

In regard to claim 5, note that Arai et al. in view of Kawahara does not specifically disclose a remote diaphragm control device that is provided separately from the CCTV camera. However, it is well known in the art to locate the remote control device at a separate location from the device to be controlled to allow the user to activate the controlled device without having direct physical access to the controlled device (Official Notice). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the remote diaphragm control device at a separate location from the CCTV camera to allow the user to control the camera without having direct physical access to the camera.

**[claim 6]**

In regard to claim 6, note that Arai et al. discloses a diaphragm control apparatus for a lens of a CCTV camera, wherein said CCTV camera lens comprises an automatic control device for outputting a diaphragm control signal based on an image signal of the CCTV camera to the diaphragm driving device to thereby automatically control the diaphragm (Figure 1, "automatic control circuit"), and a switching device for switching an automatic diaphragm control in which the diaphragm is automatically controlled by the automatic control device (Figure 1, Item SW<sub>2</sub>, SW<sub>3</sub>, SW<sub>4</sub>) and a remote diaphragm control in which the diaphragm is controlled by the remote diaphragm control device (Figure 1, "remote control circuit"), said remote diaphragm control device being provided with a switching signal output device for operating the switching device (Column 2, Lines 9-37).

4. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arai et al. (US 4,651,216) in view of Kawahara (US 5,325,149) as applied to claim 7 above, and in further view of Yamamoto (US 4,410,915).

**[claim 2]**

In regard to claim 2, note that Arai in view of Kawahara disclose all limitations of claim 7. Therefore, it can be seen that Kawahara lacks a digital potentiometer which varies a wiper position of a variable resistor and outputs the remote diaphragm control signal corresponding to the wiper position.

Yamamoto discloses a diaphragm control system in which a potentiometer is changed in order to provide a control signal for driving a diaphragm (Figure 2; Column 3, Lines 44-48) to drive the iris or "diaphragm" into any desired aperture condition. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a potentiometer as disclosed by Yamamoto to make it possible to drive the diaphragm to any desired aperture condition. It can further be seen that Arai in view of Kawahara in further view of Yamamoto lacks a potentiometer which is a digital potentiometer. However, it is well known in the art to replace analog potentiometers such as the one disclosed by Yamamoto with digital potentiometers in order to increase the accuracy of the potentiometer (Official Notice). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a digital potentiometer instead of the analog potentiometer of Yamamoto to

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increase accuracy.

**[claim 3]**

In regard to claim 3, note that Arai in view of Kawahara discloses a system in which a remote diaphragm control signal corresponding to an open or close signal is output when the diaphragm is desired to be changed, and a hold signal which maintains the diaphragm at the current position when no change is desired (Figure 6). In combination with the potentiometer of Yamamoto a system which maintains the wiper position of the variable resistor when the open/close remote diaphragm control signal is stopped is inherent. The office also notes that Arai in view of Kawahara discloses a system which stores the wiper position in a memory, holds the corresponding value stored in the memory when a power supply is interrupted, reads the corresponding value from the memory when the power supply is recommenced and outputs the remote diaphragm control signal corresponding thereto (e.g. Figure 6; Column 3, Lines 39-43; Column 7, Lines 1-32).

**[claim 4]**

In regard to claim 4, note that Arai in view of Kawahara in view of Yamamoto lacks a memory which is a non-volatile memory. However, it is well known in the art to use non-volatile memories when the data is required to be stored even at times when a power supply is not connected such as when the camera of Arai in view of Kawahara is turned off (Official Notice). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a non-volatile memory as the

memory of Arai in view of Kawahara to store data even when the memory does not have a power supply connected to thereto.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J Henn whose telephone number is (703) 305-8327. The examiner can normally be reached on M-F 9:00 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R Garber can be reached on (703) 305-4929. The fax phone

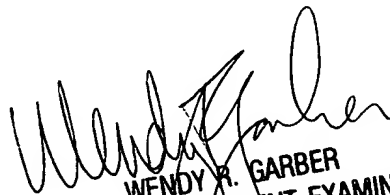


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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJH  
2/4/2005

  
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